

House File 217 - Introduced

HOUSE FILE _____
BY SWAIM

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring the placement of automated external
2 defibrillators in high schools.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1776YH 82
5 ak/je/5

PAG LIN

1 1 Section 1. NEW SECTION. 280.16A CARDIAC AUTOMATED
1 2 EXTERNAL DEFIBRILLATORS == REQUIRED PLACEMENT == IMMUNITY.
1 3 1. As used in this section, "automated external
1 4 defibrillator" means a portable device used to restore normal
1 5 heart rhythm to a patient in cardiac arrest by analyzing the
1 6 patient's heart rhythm and determining whether or not a shock
1 7 is needed to restore a normal heart beat.
1 8 2. The board of directors of each public school district
1 9 and authorities in charge of nonpublic schools shall do all of
1 10 the following:
1 11 a. Require the placement of an automated external
1 12 defibrillator in each high school.
1 13 b. Require that a sufficient number of staff persons
1 14 assigned to each high school successfully complete an
1 15 appropriate training course by the American red cross or
1 16 American heart association in cardiopulmonary resuscitation
1 17 and the use of automated external defibrillators, or an
1 18 equivalent nationally recognized course.
1 19 c. Ensure that an automated external defibrillator is
1 20 available for use at a school-sponsored athletic event held at
1 21 a site other than a school facility and that trained personnel
1 22 are available to use it.
1 23 d. Maintain and test the automated external defibrillator
1 24 according to the manufacturer's operational guidelines.
1 25 e. Obtain a physician to review and approve the clinical
1 26 protocol for the use of the automated external defibrillator,
1 27 review and advise regarding the training and skill maintenance
1 28 of the intended users of the automated external defibrillator,
1 29 and assure proper review of all situations when the automated
1 30 external defibrillator is used to render emergency care.
1 31 f. Notify the public safety agency or the public safety
1 32 answering point, as defined in section 34.1, as the primary
1 33 provider of emergency medical services, where the automated
1 34 external defibrillator is to be located.
1 35 g. Notify emergency medical services as soon as possible
2 1 when emergency care or treatment on a person in cardiac arrest
2 2 is given using an automated external defibrillator.
2 3 3. a. Any person who has successfully completed an
2 4 appropriate training course in cardiopulmonary resuscitation
2 5 and the use of automated external defibrillators, has
2 6 demonstrated a proficiency in the use of an automated external
2 7 defibrillator, and who gratuitously and in good faith renders
2 8 emergency care when medically appropriate by use of or
2 9 provision of an automated external defibrillator, without
2 10 objection of the injured victim or victims thereof, shall not
2 11 be held liable for any civil damages as a result of such care
2 12 or treatment, where the person acts as an ordinarily
2 13 reasonable, prudent person would have acted under the same or
2 14 similar circumstances.
2 15 b. Except in the case of willful or wanton misconduct or
2 16 when there is no good faith attempt to activate an emergency
2 17 medical services system, a person shall not be held liable in
2 18 civil damages for injury, death, or loss to person or
2 19 property, or held criminally liable, for performing automated
2 20 external defibrillation in good faith, regardless of whether

2 21 the person has obtained appropriate training on how to perform
2 22 automated external defibrillation and successfully completed a
2 23 course in cardiopulmonary resuscitation.
2 24 c. The person or entity who provides appropriate training
2 25 to the person using an automated external defibrillator in
2 26 paragraph "a", the person or entity responsible for the site
2 27 where the automated external defibrillator is located, and the
2 28 licensed physician who reviews and approves the clinical
2 29 protocol shall likewise not be held liable for civil damages
2 30 resulting from the use of an automated external defibrillator,
2 31 provided that all other requirements of this section have been
2 32 met.

2 33 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection
2 34 3, shall not apply to this Act.

2 35 EXPLANATION

3 1 This bill requires public and nonpublic school officials to
3 2 place an automated external defibrillator, or AED, in every
3 3 high school in the state. An AED is a portable device used to
3 4 shock the heart of a person suffering from a heart attack to
3 5 restore normal heart rhythm.

3 6 The bill requires that school officials provide that
3 7 sufficient numbers of high school staff are trained to use the
3 8 AED through programs by the American red cross, American heart
3 9 association, or other nationally recognized programs. The
3 10 bill requires that school officials ensure an AED is available
3 11 for use at off-site school-sponsored athletic events and
3 12 ensure there are trained personnel available to use it.

3 13 The bill also requires that school officials maintain and
3 14 test the AED according to the manufacturer's instructions and
3 15 that a physician oversees and advises the school's protocol
3 16 and procedure for placement and use of the AED. The bill
3 17 further requires that school officials inform emergency
3 18 service coordinators in the area where the AED will be located
3 19 and ensure that when the AED is used that the emergency
3 20 services providers are informed as soon as possible.

3 21 The bill also includes provisions that limit the liability
3 22 of the school district, school, physician, training provider,
3 23 trained personnel, and untrained user for damages resulting
3 24 from the use of an AED, so long as the other requirements of
3 25 the section were met. Additionally, the untrained user of the
3 26 AED must use the device in good faith and the trained
3 27 personnel must act in a reasonable and prudent manner in order
3 28 to be held not liable.

3 29 The bill may include a state mandate as defined in Code
3 30 section 25B.3. The bill makes inapplicable Code section
3 31 25B.2, subsection 3, which would relieve a political
3 32 subdivision from complying with a state mandate if funding for
3 33 the cost of the state mandate is not provided or specified.
3 34 Therefore, political subdivisions are required to comply with
3 35 any state mandate included in the bill.

4 1 LSB 1776YH 82

4 2 ak:sc/je/5